

# **MPOS, RPOS & THE STATE GOVERNMENT ETHICS ACT FREQUENTLY ASKED QUESTIONS**

## **WHAT IT IS & WHO IS INCLUDED.**

- 1. What is the State Government Ethics Act & why does it apply to Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs)?**

The State Government Ethics Act establishes a code of conduct for certain public officials and employees. In 2012, the General Assembly passed legislation designating MPOs and RPOs as “boards” under the ethics act.

- 2. Are both the Transportation Coordinating Committee (TCC) & the Transportation Advisory Committee (TAC) covered by the ethics act?**

Yes. Since both the TCC and TAC make up the MPO or RPO, both committees are covered.

- 3. Since both the TCC and the TAC are covered by the State Government Ethics Act, does that mean that all members of the TCC and TAC are subject to the ethics act?**

Yes. All voting members, including alternates, of both the TCC and TAC of each MPO or RPO are covered by the ethics act.

- 4. When does the law become effective?**

January 1, 2013.

## **DISCLOSURE OF FINANCIAL & OTHER INTERESTS (STATEMENT OF ECONOMIC INTEREST OR “SEI”).**

- 1. What is an SEI and what do I have to disclose?**

An SEI is a 22 question disclosure about your and your immediate family members’ financial, business and professional relationships.

- 2. How do I file my SEI?**

Under the law passed by the General Assembly, you must file your SEI electronically. There is information on the Commission’s website about obtaining a user ID and password (NCID) and filing the form. Instructions on obtaining an NCID & how to electronically file an SEI are on the Commission’s website.

- 3. Should I file my SEI prior to January 1, 2013?**

**No!** Your SEI will be based on responses to the questions *as of December 31, 2012*.

- 4. What is the SEI filing deadline?**

April 15, 2013.

- 5. Is there a penalty for not filing, late filing, or filing an incomplete SEI?**

Yes. The State Ethics Commission may impose a \$250 fine for late filing or failure to file, and you may be removed from your board membership. There are also criminal penalties for knowingly failing to disclose information or providing false information.

- 6. Am I required to list the amount of my, or my immediate family member(s)’, income?**

**No!** Question 10 on the SEI requires you to list “sources” of income, but not specific amounts, of more than \$5000.

## **EDUCATION.**

### **1. Am I required to attend ethics education?**

Yes. You must attend an Ethics & Lobbying Education Presentation no later than June 30, 2013 and at least every 2 years thereafter.

### **2. Does the ethics education for local government officials meet the ethics act education requirement?**

No. The ethics education presentations for local government officials and the ethics act are based on different laws. Therefore, one cannot satisfy the requirement for the other.

### **3. If I have previously attended ethics education sponsored by the State Ethics Commission, do I have to attend again?**

No. If you have attended an ethics education presentation sponsored by the State Ethics Commission within the last 2 years, you do not have to attend again. However, you are still subject to the 2-year refresher requirement.

### **4. What are the options for fulfilling the ethics education requirement?**

You may attend a live presentation either in Raleigh or at a distance location. You may also fulfill the requirement by completing the Commission's online ethics education presentation.

### **5. Where can I get information about ethics education options?**

A schedule of dates and locations for live presentations as well as access to the online presentation are available on the Commission's website.

## **PROHIBITIONS & RESTRICTIONS.**

### **1. Are there conflict of interest standards?**

Yes. In your role as an MPO or RPO member, you are prohibited from taking certain actions where you or certain other individuals or entities associated with you may receive a personal benefit. There are some exceptions to the conflict of interest rules that apply just to you when acting in your *public* capacity.

For example, Commission staff has determined that MPO and RPO members do not have a conflict of interest in matters that may benefit the unit of government they represent on the MPO or RPO, or that may benefit a unit of government that employs a member's spouse or family member. MPO and RPO members *may vote and take other official action* as representatives of their local governments (assuming no personal or other private conflict exists).

### **2. Does the ethics act prohibit accepting "gifts"?**

Yes, from certain individuals, including registered lobbyists, lobbyist principals, and individuals or entities which have certain relationships with your MPO or RPO. There are also exceptions to the gift ban.

### **3. Is using my title as an MPO or RPO member restricted?**

Yes, in certain circumstances primarily dealing with non-governmental advertising.

## **What do I do if I have a question?**

***Contact the State Ethics Commission!***

Phone: (919) 715-2071

SEI Questions: [sei@doa.nc.gov](mailto:sei@doa.nc.gov)

Education Questions: [Education.Ethics@doa.nc.gov](mailto:Education.Ethics@doa.nc.gov)

All Other Questions: [ethics.commission@doa.nc.gov](mailto:ethics.commission@doa.nc.gov)